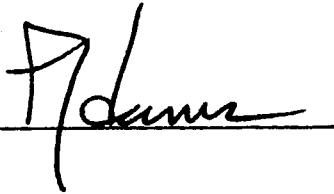


1 By



H.J.R. No. 57

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5 A JOINT RESOLUTION

6
7 proposing an amendment to Article VII, Constitution of the State
8 of Texas, by adding a Section 6b to permit the commissioners
9 court of a county to reduce the county permanent school fund and
10 to provide for the per scholastic distribution and use of the
11 money obtained from the reduction.

12
13 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

14
15 Section 1. That Article VII, Constitution of the State of
16 Texas, be amended by adding a Section 6b, to read as follows:
17 "Section 6b. Notwithstanding the provisions of Section 6,
18 Article VII, Constitution of the State of Texas, any county, act-
19 ing through the commissioners court, may reduce the county
20 permanent school fund of that county and may distribute the
21 amount of the reduction to the independent and common school dis-
22 tricts of the county on a per scholastic basis to be used solely
23 for the purpose of reducing bonded indebtedness of those districts
24 or for making permanent improvements. The commissioners court
25 shall, however, retain a sufficient amount of the corpus of the
26 county permanent school fund to pay ad valorem taxes on school
27 lands or royalty interests owned at the time of the distribution.
28 Nothing in this Section affects financial aid to any school dis-
29 trict by the state."

30 Sec. 2. The foregoing constitutional amendment shall be
31 submitted to a vote of the qualified electors of this state at
32 an election to be held on the first Tuesday after the first
33 Monday in November, 1972, at which election the ballots shall be
34 printed to provide for voting for or against the proposition:
35 "The constitutional amendment to allow a county to reduce its
36 county permanent school fund and distribute the money to indepen-
37 dent and common school districts on a per scholastic basis."
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(For favorable and unfavorable reports on bills and resolutions, where no committee amendments are recommended.)

COMMITTEE REPORT

Date 4-21-71

HON. G. F. (GUS) MUTSCHER

Speaker of the House of Representatives.

Sir:

We, your Committee on Constitutional Amendments, to whom was referred HJR No. 57, have had the same under consideration

and beg to report back with recommendation that it { do } pass, and be printed

The Bill was reported from Committee by the following vote:

Unanimous voice vote

Majority voice vote

Vote of _____ ayes and _____ nays.

John G. Fraeger Chairman.

(When this form is used for a favorable report on a general bill the words "do not" are marked out. If the bill is a local bill the word "not" should be inserted before the word "printed." When used for an unfavorable report the word "do" is marked out, the comma after "pass" is changed to a period, and the remaining words also marked out.

When this form is used for a simple or concurrent resolution the comma after "pass" should be changed to a period and the remaining words stricken out because resolutions are printed in the Journal when first introduced.)

1 By: Adams

H. J. R. No. 57

2 (In the House. --Filed March 8, 1971; March 9, 1971, Read first time and
3 referred to Committee on Constitutional Amendments; April 22, 1971,
4 Reported favorably by unanimous voice vote, sent to Printer.)

6 A JOINT RESOLUTION

7 PROPOSING an amendment to Article VII, Constitution of
8 the State of Texas, by adding a Section 6b to per-
9 mit the commissioners court of a county to reduce
10 the county permanent school fund and to provide for
11 the per scholastic distribution and use of the money
12 obtained from the reduction.

13 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

14 Section 1. That Article VII, Constitution of the State of Texas, be amended
15 by adding a Section 6b, to read as follows:

16 "Section 6b. Notwithstanding the provisions of Section 6, Article VII,
17 Constitution of the State of Texas, any county, acting through the commis-
18 sioners court, may reduce the county permanent school fund of that county
19 and may distribute the amount of the reduction to the independent and com-
20 mon school districts of the county on a per scholastic basis to be used solely
21 for the purpose of reducing bonded indebtedness of those districts or for
22 making permanent improvements. The commissioners court shall, however,
23 retain a sufficient amount of the corpus of the county permanent school fund
24 to pay ad valorem taxes on school lands or royalty interests owned at the
25 time of the distribution. Nothing in this Section affects financial aid to any
26 school district by the state."

27 Sec. 2. The foregoing constitutional amendment shall be submitted to a
28 vote of the qualified electors of this state at an election to be held on the
29 first Tuesday after the first Monday in November, 1972, at which election
30 the ballots shall be printed to provide for voting for or against the proposi-
31 tion: "The constitutional amendment to allow a county to reduce its county
32 permanent school fund and distribute the money to independent and common
33 school districts on a per scholastic basis."

35 COMMITTEE REPORT

COMMITTEE ROOM

Austin, Texas, April 21, 1971

38 Hon. G. F. (Gus) Mutscher, Speaker of the House of Representatives.

39 SIR: We, your Committee on Constitutional Amendments, to whom was
40 referred H. J. R. No. 57, have had the same under consideration and beg
41 to report back with recommendation that it do pass, and be printed.

John A. Traeger, Chairman

43 BILL ANALYSIS

45 Background:

46 The county permanent school fund of each county in Texas could
47 be used to benefit the students and the schools. Instead they are limited
48 in the type of investments they can make and are not allowed to be reduced.

50 Purpose:

51 HJR 57 would permit the reduction of the county permanent school
52 fund for valuable services to the students and the schools.

54 Section by Section Analysis:

55 Section 1: Adds a Section 6-b to Article VII

57 The county commissioners' court may reduce the permanent
58 school fund of that county and distribute the amount of reduction to the
59 independent and common school districts to reduce the bonded indebted-
60 ness or make permanent improvements.

1 Section 2: Election clause.

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3 Summary of Committee Action:

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5 The Resolution was passed out of Committee by a unanimous voice
6 vote.

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By: Adams

H.J.R. No. 57

HOUSE JOINT RESOLUTION

proposing an amendment to Article VII, Constitution of the State of Texas, by adding a Section 6b to permit the commissioners court of a county to reduce the county permanent school fund and to provide for the per scholastic distribution and use of the money obtained from the reduction. _____

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Article VII, Constitution of the State of Texas, be amended by adding a Section 6b, to read as follows: _____

"Section 6b. Notwithstanding the provisions of Section 6, Article VII, Constitution of the State of Texas, any county, acting through the commissioners court, may reduce the county permanent school fund of that county and may distribute the amount of the reduction to the independent and common school districts of the county on a per scholastic basis to be used solely for the purpose of reducing bonded indebtedness of those districts or for making permanent improvements. The commissioners court shall, however, retain a sufficient amount of the corpus of the county permanent school fund to pay ad valorem taxes on school lands or royalty interests owned at the time of the distribution. Nothing in this Section affects financial aid to any school district by the state." _____

Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on the first Tuesday after the first Monday in _____

H.J.R. No. 57

November, 1972, at which election the ballots shall be printed to provide for voting for or against the proposition: "The constitutional amendment to allow a county to reduce its county permanent school fund and distribute the money to independent and common school districts on a per scholastic basis."

Austin, Texas

May 21, 1971

Hon. Ben Barnes
President of the Senate

Sir:

We, your Committee on CONSTITUTIONAL AMENDMENTS,
to which was referred HJR B. No. 57, have had the same
under consideration, and I am instructed to report it back to
the Senate with the recommendation that it do _____
pass _____ and be _____ printed.



WILSON
Chairman

BILL ANALYSIS

BACKGROUND INFORMATION:

Article VII, Section 6 of the Constitution vests the power to dispose of county school lands in the county commissioners court. The proceeds of the sale of such land shall be held by the counties as a trust for the benefit of public schools.

PURPOSE OF THE BILL:

To amend Article VII of the Constitution by adding Section 6b to allow county commissioners court to reduce county permanent school fund and to provide for the per scholastic distribution and use of money obtained from the reduction.

SECTION BY SECTION SUMMARY:

Section 1: Article VII of the Constitution would be amended by adding a Section 6b to allow the commissioners court of any county to reduce the county permanent school fund and distribute the amount to the independent and common school districts on a per scholastic basis to be used solely for reducing bonded indebtedness or making permanent improvements. A sufficient amount of the corpus of the county permanent school fund shall be retained by the commissioners court to pay ad valorem taxes on school lands or royalty interest owned at the time of the distribution. This Section does not affect state financial aid to any school district.

Section 2: Amendment to be submitted to voters on first Tuesday after first Monday in November, 1972.

ENROLLED

H.J.R. No. 57

HOUSE JOINT RESOLUTION

proposing an amendment to Article VII, Constitution of the State of Texas, by adding a Section 6b to permit the commissioners court of a county to reduce the county permanent school fund and to provide for the per scholastic distribution and use of the money obtained from the reduction.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Article VII, Constitution of the State of Texas, be amended by adding a Section 6b, to read as follows:

"Section 6b. Notwithstanding the provisions of Section 6, Article VII, Constitution of the State of Texas, any county, acting through the commissioners court, may reduce the county permanent school fund of that county and may distribute the amount of the reduction to the independent and common school districts of the county on a per scholastic basis to be used solely for the purpose of reducing bonded indebtedness of those districts or for making permanent improvements. The commissioners court shall, however, retain a sufficient amount of the corpus of the county permanent school fund to pay ad valorem taxes on school lands or royalty interests owned at the time of the distribution. Nothing in this Section affects financial aid to any school district by the state."

Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on the first Tuesday after the first Monday in

H.J.R. No. 57

November, 1972, at which election the ballots shall be printed to provide for voting for or against the proposition: "The constitutional amendment to allow a county to reduce its county permanent school fund and distribute the money to independent and common school districts on a per scholastic basis."

Lieutenant Governor
President of the Senate

Speaker of the House

I hereby certify that H.J.R. No. 57 was adopted by the House on May 7, 1971, by the following vote: Yeas 122, Nays 1.

Chief Clerk of the House

I hereby certify that H.J.R. No. 57 was passed by the Senate on May 26, 1971, by the following vote: Yeas 28, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:45 PM O'CLOCK

MAY 21 1971
Martin Skiff
Secretary of State



HOUSE OF REPRESENTATIVES
AUSTIN

The Honorable Martin Dies
Secretary of State

I am hereby transmitting to the office of the
Secretary of State, House Joint Resolution No. 57,
62nd Legislature, as of May 31st, 1971.

Orea Suppin
Enrolling and Engrossing Clerk
House of Representatives

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:45 PM G'CLOCK

MAY 31 1971

Secretary of State

H.J.R. No. 57

By Adams

HOUSE JOINT RESOLUTION

proposing an amendment to Article VII, Constitution of the State of Texas, by adding a Section 6b to permit the commissioners court of a county to reduce the county permanent school fund and to provide for the per scholastic distribution and use of the money obtained from the reduction.

FILED MAR 8 1971

READ 1ST TIME
AND REFERRED TO COMMITTEE ON

Constitutional Amendments

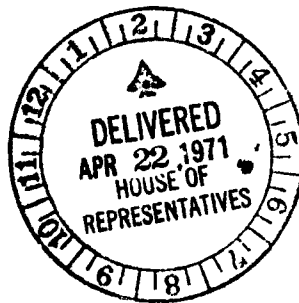
Dorothy Hallman

Chief Clerk, House of Representatives

APR 22 1971

REPORTED FAVORABLY

SENT TO PRINTER



PRINTED, DISTRIBUTED AND
REFERRED TO COMMITTEE ON
RULES 2:00 P.M.
(Time)

APR 22 1971
(Date)

MAY 7 1971

READ SECOND

TIME _____ AND

~~ORDERED~~ ~~ENVOYED~~

*Finally adopted
by record vote of
122 ayes, 1-noes.*

Dorothy Hallman

Chief Clerk, House of Representatives

MAY 7 1971

MOTION TO RECONSIDER THE VOTE BY
WHICH H.J.R. # 57 WAS
ADOPTED ~~122-1~~ AND TO TABLE THE MOTION TO RECON-
SIDER PREVAILED ~~122-1~~ BY A non-record VOTE

Dorothy Hallman
CHIEF CLERK, HOUSE OF REPRESENTATIVES

MAY 7 1971

SENT TO ENGROSSING CLERK

By: Adams

H.J.R. No. 57

HOUSE JOINT RESOLUTION

proposing an amendment to Article VII, Constitution of the State of Texas, by adding a Section 6b to permit the commissioners court of a county to reduce the county permanent school fund and to provide for the per scholastic distribution and use of the money obtained from the reduction.

- 3- 8-71 Filed.
- 3- 9-71 Read first time and referred to Committee on Constitutional Amendments.
- 4-22-71 Reported favorably, sent to printer.
- 4-22-71 Printed, distributed and referred to Committee on Rules at 2:00 p.m.
- 5- 7-71 Read second time and finally adopted by the following vote: Yeas 122, Nays 1.

Dorothy Hallman
Chief Clerk, H. of R.

- 5- 7-71 Sent to Engrossing Clerk.
- 5- 7-71 Engrossed.


Engrossing Clerk, H. of R.

MAY 10 1971

RETURNED FROM ENGROSSING CLERK SENT TO THE SENATE

MAY 23 1971

RETURNED FROM SENATE SENT TO ENROLLING CLERK

MAY 10 1971

Received from the House

MAY 10 1971 Read, referred to Committee on Constitutional Amendments

MAY 21 1971 Reported favorably.

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed.

MAY 26 1971 Regular order of business suspended by

(unanimous consent.

_____ years, _____ days.

To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ years, _____ days.

Read second time And passed to third reading.

Caption ordered amended to conform to body of bill.

MAY 26 1971 Senate and Constitutional 3-Day Rules suspended by vote of
28 years, 1 days to place bill on third reading and final passage.

Read third time and passed by

(a viva voce vote.

(28 years, 1 days.

OTHER ACTION:

Michael J. Gorman

Secretary of the Senate

RETURNED FROM SENATE MAY 26 1971

MAY 26 1971 Returned to HOUSE

Dorothy Hallman
Chief Clerk, House of Representatives